

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FISH, WILDLIFE AND PARKS**

**Call to Order:** Chairman Kendall Van Dyk, on March 10, 2009 at  
3:03 P.M., in Room 152 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Kendall Van Dyk, Chairman (D)  
Rep. Gordon R. Hendrick, Vice Chairman (R)  
Rep. Dave McAlpin, Vice Chairman (D)  
Rep. Dick Barrett (D)  
Rep. Paul Beck (D)  
Rep. Carlie Boland (D)  
Rep. Joel Boniek (R)  
Rep. Mike Miller (R)  
Rep. Ken Peterson (R)  
Rep. Mike Phillips (D)  
Rep. Scott Sales (R)  
Rep. Cary Smith (R)  
Rep. Ted Washburn (R)  
Rep. Jeffery Welborn (R)

**Members Excused:** None

**Members Absent:** Rep. Frosty Boss Ribs (D)  
Rep. Jill Cohenour (D)  
Rep. Jesse O'Hara (R)  
Rep. JP Pomnichowski (D)

**Staff Present:** Bryce Bennett, Committee Secretary  
Doug Sternberg, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 430; HB 559; SB 184; SB 185  
SB 188

Executive Action: HB 210; HB 430; HB 480

**HEARING ON HB 430**

**Opening Statement by Sponsor:**

00:00:46 Rep. Anders Blewett (D), HD 21, opened the hearing on  
HB 430, Fine for barbwire fences across navigable  
water.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:** None

**EXECUTIVE ACTION ON HB 430**

00:02:07 **Motion:** Rep. Peterson moved that **HB 430 BE TABLED.**

00:02:16 **Vote:** Motion carried unanimously by voice vote.  
Rep. Calf Boss Ribs, Rep. Cohenour, Rep. O'Hara, and  
Rep. Pomnichowski voted by proxy.

**HEARING ON HB 559**

**Opening Statement by Sponsor:**

00:02:51 Rep. Dennis Himmelberger (R), HD 47, opened the hearing  
on HB 559, Active duty service hunting privileges same  
as discharged.

00:02:55 Rep. Pomnichowski arrived.

**Proponents' Testimony:**

00:05:04 Roger Hagan, Montana National Guard Association  
00:07:12 Rep. Calf Boss Ribs arrived.  
00:09:36 Jim Jacobsen, Montana American Legion

**Opponents' Testimony:** None

**Informational Testimony:**

00:10:53 Hank Warsech, Licence Bureau Chief, Department of Fish,  
Wildlife, and Parks (FWP)

**EXHIBIT(fih53a01)**

00:11:34 Rep. O'Hara arrived.

**Questions from Committee Members and Responses:**

00:12:35 Rep. Washburn  
00:12:55 Rep. Himmelberger  
00:13:04 Rep. Washburn  
00:13:31 Rep. McAlpin  
00:13:53 Mr. Hagan  
00:15:01 Rep. McAlpin  
00:15:06 Mr. Hagan  
00:15:12 Rep. Boland  
00:15:48 Rep. Himmelberger  
00:16:21 Rep. Boland  
00:16:32 Mr. Warsech  
00:16:50 Rep. Peterson  
00:17:24 Mr. Warsech  
00:17:36 Rep. Peterson  
00:18:23 Mr. Warsech  
00:18:40 Rep. Pomnichowski  
00:19:01 Mr. Warsech  
00:19:14 Rep. Pomnichowski  
00:19:20 Mr. Warsech  
00:19:35 Rep. Pomnichowski  
00:19:54 Mr. Warsech

**Closing by Sponsor:**

00:20:05 Rep. Himmelberger

**HEARING ON SB 185**

**Opening Statement by Sponsor:**

00:20:50 Sen. Joe Balyeat (R), SD 34, opened the hearing on  
SB 185, Nonresident college student combination game  
license.

**EXHIBIT(fih53a02)**

**Proponents' Testimony:**

00:23:57 Maureen Weiland, Associated Students of Montana State  
University (ASMSU)

00:24:47 Doug Nulle, self

00:25:44 Chris Smith, Deputy Director, FWP

**EXHIBIT(fih53a03)**

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:29:20 Rep. Sales  
00:29:39 Sen. Balyeat  
00:30:22 Mr. Smith  
00:31:25 Rep. Washburn  
00:31:45 Mr. Smith  
00:31:59 Rep. Washburn  
00:32:25 Mr. Smith  
00:32:59 Rep. Washburn  
00:33:07 Mr. Smith  
00:33:15 Rep. Peterson  
00:34:02 Sen. Balyeat  
00:34:14 Chairman Van Dyk  
00:35:05 Sen. Balyeat  
00:35:17 Chairman Van Dyk  
00:35:35 Sen. Balyeat  
00:35:46 Rep. Washburn  
00:35:56 Mr. Smith  
00:36:15 Rep. Barrett  
00:36:53 Mr. Smith  
00:37:38 Rep. Barrett  
00:37:58 Mr. Smith

**Closing by Sponsor:**

00:38:18 Sen. Balyeat

**HEARING ON SB 184**

**Opening Statement by Sponsor:**

00:40:39 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 184, Adjust bear, mountain lion and bison hunting license deadlines.

**Proponents' Testimony:**

00:44:59 Mr. Nulle

**Opponents' Testimony:** None

**Informational Testimony:**

00:45:30 Mr. Smith

[EXHIBIT\(fih53a04\)](#)

**Questions from Committee Members and Responses:**

00:49:24 Rep. Welborn  
00:49:58 Sen. Balyeat  
00:50:48 Chairman Van Dyk  
00:51:30 Mr. Smith  
00:51:48 Chairman Van Dyk  
00:52:19 Mr. Smith  
00:52:56 Chairman Van Dyk  
00:53:10 Mr. Smith

**Closing by Sponsor:**

00:53:19 Sen. Balyeat

**HEARING ON SB 188**

**Opening Statement by Sponsor:**

00:54:53 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 188, Revise fish and game laws re: regulation of special elk permits.

[EXHIBIT\(fih53a05\)](#)

**Proponents' Testimony:**

01:01:15 Mr. Nulle

**Opponents' Testimony:** None

**Informational Testimony:**

01:01:47 Mr. Smith

[EXHIBIT](#)(fih53a06)

**Questions from Committee Members and Responses:**

01:06:43 Rep. Boniek

01:07:04 Mr. Smith

**Closing by Sponsor:**

01:07:19 Sen. Balyeat

01:08:34 Break

01:13:15 Reconvene

**EXECUTIVE ACTION ON HB 210**

01:13:37 **Motion:** Rep. Phillips moved that **HB 210 DO PASS.**

**Discussion:**

01:13:45 Rep. Phillips

01:13:56 **Motion:** Rep. Phillips moved that **HB 210 BE AMENDED.**

[EXHIBIT](#)(fih53a07)

**Discussion:**

01:14:23 Rep. Sales

01:14:40 Rep. Phillips

01:15:33 Doug Sternberg, Legislative Services Division (LSD)

01:17:45 Rep. Phillips

01:17:54 Rep. Cohenour arrived.

01:18:36 **Vote:** Motion carried unanimously by voice vote.

**Discussion:**

01:18:50 Rep. Washburn

01:19:51 Chairman Van Dyk

01:20:05 Rep. Peterson

01:20:12 **Motion:** Rep. Phillips moved that **HB 210 DO PASS AS AMENDED.**

01:20:19 **Motion:** Rep. Washburn moved that **HB 210 BE AMENDED. EXHIBIT(fih53a08)**

**Discussion:**

01:20:47 Rep. Washburn

01:21:08 Mr. Sternberg

01:23:33 **Vote:** Motion carried unanimously by voice vote.

01:23:47 **Motion:** Rep. Phillips moved that **HB 210 DO PASS AS AMENDED.**

**Discussion:**

01:24:00 Rep. Miller

01:24:23 Rep. McAlpin

01:24:31 Rep. Peterson

01:25:07 **Vote:** Motion failed 1-17 by voice vote with Rep. Phillips voting aye.

01:25:33 **Motion/Vote:** Rep. Hendrick moved that **HB 210 BE TABLED.** Motion passed unanimously.

**EXECUTIVE ACTION ON HB 480**

01:25:58 **Motion:** Rep. Pomnichowski moved that **HB 480 DO PASS.**

**Discussion:**

01:26:14 Rep. Pomnichowski

01:27:43 Chairman Van Dyk

01:28:49 **Vote:** Motion carried 14-4 by voice vote with Rep. Boniek, Rep. Hendrick, Rep. Peterson, and Rep. Smith voting no.

**ADJOURNMENT**

01:29:22 Adjournment: 4:32 P.M.

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Bryce Bennett, Secretary

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Additional Documents:

**EXHIBIT ([fih53aad.pdf](#))**